

## MINUTES

The meeting was called to order with Roll Call by Mayor David Anderson.

Roll Call:	Cannon	Present	Urbanek	Present
	Maniez	Present	Zindler	Present
	Templin	Present		

Citizens signed the book on page 26.

The Mayor led the Pledge of Allegiance.

*Consent Agenda Items will be acted upon by one motion unless a Council member requests an item be removed for discussion and separate action.*

1. Consent Agenda:
  - a. Approve Minutes from the Council meeting of October 7, 2004
  - b. Approve Pay Ordinance No. 507
  - c. Approve Resolution No. 701 scheduling a hearing on property located at 8380 Wyandotte
  - d. Approve Resolution No. 702 ordering violation of Section 8-208 of Article 2 of Chapter 8 of the City Code at 8350 Osage

Motion by Councilwoman Templin to approve the Consent Agenda; second by Cannon.

Roll Call:	Maniez	Yes	Urbanek	Yes
	Cannon	Yes	Templin	Yes
	Zindler	Yes		

Motion carried.

2. Call to Public:

"Members of the public are welcome to use this time to comment about any matter relating to City business that is not listed on this Agenda. The comments that are discussed under Call to Public may or may not be acted upon by the Council during this meeting. **There is a four-minute time limit.** Please stand and wait to be recognized by the Mayor."

Mr. Rick Kenton, 8755 Lynne Road, stated he has received a letter from the City stating he must either start work or begin demolition of the house. Mr. Kenton stated he has a buyer for the house and that buyer has met with the City's Code Officer and discussed what must be done. The proposed buyer stated they want to buy the home and get the work done before winter sets in. City Administrator, Greg Johnson, stated that this property has been empty since the fire in June and nothing has been done. It is becoming a concern about the safety of the structure at this point. The City has instructed Mr. Kenton to begin work on the structure, and Mr. Kenton is requesting an extension until the proposed buyer can close on the contract. Discussion by Mayor Anderson, the proposed buyer, and Council members. Mr. Kenton stated he hopes to close on the contract in the next 10 days. Councilman Maniez stated 30 days should be a fair time to get something closed on and get work started on the roof repair. Discussion. The proposed buyer stated he would agree to start work as soon as the contract closes. The proposed buyer stated he would begin the work within the next 30 days as soon as he has a clear ownership of property.

Motion by Councilman Maniez to direct staff to extend the abatement of the property at 8755 Lynne Road for a period of 30 days upon completion of a purchase contract and building permit brought to the City; second by Urbanek. Discussion by Council and Mr. Kenton. Councilman Maniez withdrew his motion; second withdrawn by Urbanek.

Motion by Councilwoman Templin to direct staff to extend the abatement so that work can commence on property at 8755 Lynne Road within 30 days; second by Urbanek.

Roll Call:	Maniez	Yes	Urbanek	Yes
	Cannon	Yes	Templin	Yes
	Zindler	Yes		

3. Chamber / EDC Report: Sara Ritter, Executive Director, was not present.

4. Old Business:

- a. Discuss policy pertaining to capacity of wastewater treatment plant. Mike Brungardt stated staff has come back with some more definitive answers as requested by Council. Mr. Brungardt reviewed the Memo provided to Council dated October 14, 2004. Mr. Brungardt introduced Jay Norco of Shafer Kline and Warren, who explained the numbers on his memo regarding the capacity. Mr. Norco stated there are two criteria that are reviewed to determine the numbers based on "average" conditions. Discussion by Councilman Maniez that it appears there is a capacity of 700,000 gallons, and is that the capacity of the system or the pump capacity. Discussion by Mr. Norco that the pump station capacity is greater than the plant capacity. Mr. Norco said there should be 60,000 gallons a day available after the improvements. This should last until 2007 or 2008 under the current trends. However, if development increases, the additional capacity could be used up by 2006.

Mr. Brungardt stated that in terms of development growth, this capacity equates to 600 people, or 200 single-family building permits, or 240 multi-family units. At present capacity, the developments that have already been approved could build out and use the extra capacity by the spring of 2006. The staff needs Council direction on a policy choice. Mr. Brungardt stated he has presented Council with a letter from Mr. Steve Brady and also comments from Mr. Don Parr regarding developers that have already gained approval and those who have already extended infrastructure to their developments. Mr. Parr feels the City has an obligation to reserve capacity for developers who have expended capital funds.

Councilman Maniez asked about Exhibit B and the development phasing on developments already begun. Councilwoman Templin stated she leans toward a first-come first-serve basis and reserve capacity for developments already proceeding. The ones that are not proceeding would be on a first-come first-serve basis. Councilwoman Cannon stated the developers that have infrastructure started should have capacity held for them. She would like to see some capacity held back for commercial. Discussion by Mayor Anderson and Councilman Maniez on the Country Village Apartments as they have invested over \$700,000 in infrastructure already. They have complied with the requested terms of the City's Planning Commission. Discussion by Mr. Brungardt on some of the requirements for this development. Councilwoman Cannon and Councilwoman Templin agreed capacity should be reserved for Development 3, Brady Subdivision Townhomes. Discussion by Mayor Anderson that we should be diligent in moving forward as quickly as possible on the new treatment plant. Council discussion.

Councilman Urbanek stated the ones that are actually building need to continue. He feels after that, we should go on a first-come first-serve basis. There has to be some capacity set back for the developers that are proceeding. Councilwoman Zindler stated reserve it for 1, 3, 4 and 9 and then on a first-come first serve basis. Councilman Maniez agreed that those who have construction in the ground and then 1, 3, 4 and 9 and then on a first-come first-serve basis. Mr. Brungardt stated staff will keep Council continually updated on the permits issued to the developments and other builders.

Motion by Councilwoman Zindler adopt the new sewer policy to allow for capacity reserved for those developments who have installed public improvements and other infrastructure as identified on Exhibit B, Developments 1, 3, 4 and 9; after that all new development will be served on a first-come, first-serve basis until staff has indicated remaining capacity has been used; second by Cannon.

Roll Call:	Maniez	Yes	Urbanek	Yes
	Cannon	Yes	Templin	Yes
	Zindler	Yes		

Motion carried.

Mayor Anderson called a five-minute recess at 8:00 p.m. Mayor Anderson convened the Council again at 8:10 p.m.

5. New Business:

- a. Consider update by Shafer, Kline, & Warren on sewer master plan study. Mr. Brungardt introduced Shafer Kline and Warren representatives Jay Norco and Steve Baker. Mr. Norco stated the preliminary numbers would approximate about a \$3.00 increase on a customer bill. Mr. Norco provided five options for the wastewater treatment facility. Mr. Steve Baker stated site options are important in the overall big picture and he reviewed the options for a proposed facility on several option maps, as outlined in the Summary provided to the Council in a memo dated October 15, 2004. Discussion by Mr. Brungardt on the Sunflower option. Mr. Brungardt reviewed the options and stated the wholesale connection to Johnson County Wastewater might be more financially feasible than some of the others. He said he would like Council to review the options and narrow it down to three options. Shafer Kline and Warren reviewed the pros and cons of the five options, and stated they choose Options 2, 3 and 5.

Councilwoman Templin stated she would choose the same options. Councilwoman Cannon said she would like to see cost figures before making a choice. No one wanted Option 1 or Option 4. Mr. Brungardt stated the Planning Commission and public input will be heard in the next few weeks. He hopes to have a draft ready for the Council the second meeting in November.

- b. Presentation by Larkin Aquatics on swimming pool design. Greg Johnson, City Administrator, stated he has provided Council with the latest schematic drawing on the pool in his memo dated October 15, 2004. Mr. Johnson introduced Mr. Treadwell Jones of Larkin Aquatics. Mr. Jones provided Council with revised color maps and a power point presentation. Mr. Jones stated he thinks it is great that the City has decided to locate the pool behind the Community Center and close to the downtown businesses. He feels the site is an attribute to the City. The focus now is getting people in and out of the pool area in the busy summer hours. The pool is designed for all ages and multi-use facilities.

Councilman Urbanek asked why the bathhouse was placed between the Community Center and the pool area. Discussion by Councilman Urbanek that the view of the pool was one of the selling points and he doesn't like the bathhouse where it is. Discussion by Councilwoman Templin that several locations were looked at and discussed. Mr. Jones stated there were several deliberations on placement of all the functions and parking locations. Discussion by Councilwoman Cannon on the plantings. Mr. Jones stated most of the plantings and planter areas are in the earth and lots of mulch will be used. Councilwoman Zindler asked about lighting and Mr. Jones stated there will be lights and underwater lighting.

- c. Consider proposal for sewer flow monitoring. Mr. Brungardt reviewed his memo provided to Council dated October 13, 2004. Mr. Brungardt stated there has been a significant increase in the amount of flows coming into the De Meadows lift station. There is a need to identify the source of major sewer flow contributors within the system and identify the patterns of flow discharge coming from these users. Mr. Brungardt has received a cost proposal from Wade & Associates who specialize in this area and perform these services nationwide. The proposal is for a monitoring period of four weeks by using two meters at separate locations. The total proposal overall cost is \$7,750, with a possibility of saving \$1,800 if additional site visits are not required.

Discussion by Councilman Urbanek on the installation of two meter flow monitors. Discussion by Councilwoman Cannon and Mr. Johnson on funding.

Motion by Councilman Maniez to authorize the Mayor to enter into the flow monitoring services agreement with Wade & Associates in an amount not to exceed \$7,750.00; second by Cannon.

Roll Call:	Cannon	Yes	Urbanek	Yes
	Maniez	Yes	Zindler	Yes
	Templin	Yes		

Motion carried.

- d. Consider bids for crack sealing. Mr. Johnson stated he originally budgeted a transfer from the Special Highway Fund into the General Fund for the 2004 budget. Since there was an increase in the General Fund revenue, these funds can be considered for additional road maintenance projects that can be completed this year or next spring. Discussion by Councilwoman Zindler and Councilman Urbanek.

Motion by Councilman Urbanek to authorize the Mayor to enter into the contract with CCs for the street crack fill and the park path fill in an amount not to exceed \$30,756.06; second by Cannon.

Roll Call:	Maniez	Yes	Urbanek	Yes
	Cannon	Yes	Templin	Yes
	Zindler	Yes		

Motion carried.

- e. Consider bids for snow plows. Mr. Johnson stated after observation of the City's plows, the two plows the City uses on its two front-line vehicles are in need of replacement. Councilmen Maniez and Urbanek have observed the plows and Councilman Maniez stated they are in need of replacement. Discussion. Mr. Johnson stated this was not a budgeted expense; however, the City's revenue projections can cover the expenditure. Staff recommends accepting the bid from American Equipment for \$16,620.00.

Motion by Councilwoman Zindler to accept the bid from American Equipment for two snowplows in an amount not to exceed \$16,620.00; second by Templin.

Roll Call:	Cannon	Yes	Urbanek	Yes
	Maniez	Yes	Zindler	Yes
	Templin	Yes		

Motion carried.

6. Executive Session.

Motion by Councilman Maniez to go into Executive Session at 9:34 p.m. to discuss land acquisition and to return at 9:50 p.m.; second by Templin.

All Council approved by "ayes".

Motion by Councilman Maniez to return to regular session at 9:55 p.m. and only the item mentioned was discussed and no votes were taken; second by Templin.

All Council approved by "ayes".

7. Advisory Reports:

- a. City Administrator, Greg Johnson, stated the final tax rate has been certified by the County and there were minimal changes from the estimated tax rate. The Sheriff's Department will be here at the next meeting to discuss their 2005 budget and patrol. He gave each Council member a water conservation kit that Clarence Brunk picked up at a conference.
- b. City Attorney, Patrick Reavey, was not present at the meeting due to the birth of his son.

- c. City Engineer, Mike Brungardt, stated there was a public meeting on the results of the Kill Creek Watershed Study. The County's result study for Kill Creek has increased substantially from where they were before. As a result, there are now 38 homes in the City that are in the new flood plain and only 2 were in the previous flood plain. Additional information will be forthcoming in the next several months. Discussion by Mr. Brungardt on mitigation options. The revised FEMA map will be completed sometime in 2007. Discussion by Councilman Maniez and Mr. Brungardt. Mayor Anderson stated the City did not put these people in harm's way; however, as a community, the City will try to help those affected on an equal basis.
- d. City Clerk, Lana McPherson, asked Council to advise who would be attending the LKM regional meeting on November 3<sup>rd</sup> so reservation can be made.

8. Council & Mayor Comments:

No comments from Councilwomen Templin and Zindler.

Councilman Maniez asked about any improvements for Waverly Road. Mr. Brungardt stated he is still working on that project and will meet with each property owner to address any concerns they may have. Mr. Johnson stated the Waverly Road project is scheduled for 2005.

Councilwoman Cannon asked if anything has been done on a boat ramp. Mr. Brungardt stated all approvals have been given. He has met with Mike Calwell. The first step is to get in and do the excavation and then do the push slab. There is now a list of materials and the City will be looking for volunteers and business volunteers to help with the project. Discussion regarding volunteer teams.

Councilman Urbanek had no further comments.

Motion by Councilwoman Zindler to adjourn at 10:20 p.m.; second by Templin.  
All Council approved by "ayes".

Respectfully submitted:

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Lana R. McPherson, CMC  
City Clerk